

REMARKS

Claims 1, 6 and 9-14 are pending in this application. By this Amendment, claims 1 and 10 amended.

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Louie during the July 7, 2004 interview. In accordance with MPEP §713.04, the points discussed during the interview are incorporated in the remarks below and constitute Applicants' record of the interview.

Reconsideration based on the following remarks is respectfully requested.

I. Amendment Entry with Request for Continued Examination

Entry of this amendment is proper under 37 CFR §1.114 because this Submission is filed in conjunction with a Request for Continued Examination.

I. The Claims Satisfy the Requirements under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1 and 6 under 35 U.S.C. §112, first paragraph for lack of enablement and written description. This rejection is respectfully traversed based on arguments presented in the June 17, 2004 Amendment. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 6 and 10 under 35 U.S.C. §102(e) over U.S. Patent No. 6,384,529 to Tang *et al.* (hereinafter "Tang"); and claims 9 and 11-14 under 35 U.S.C. §103(a) over Tang in view of U.S. Patent No. 6,054,356 to Dawson *et al.* (hereinafter "Dawson"). These rejections are respectfully traversed.

Applicants respectfully disagree with the Examiner's assertions during the interview, that the sub-pixel element 34 and the organic EL layer 60 of Tang correspond to the transparent electrode and the hole injection/transportation layer, respectively, as claimed. Instead, Applicants assert that Tang teaches that the blue light-emitting organic EL layer 60 is

composed of a plurality of superimposed layers that include a hole-injecting layer, a hole-transporting layer, a blue-light emitting layer and an electron-transporting and injecting layer (col. 6, lines 22-24 of Tang).

Therefore, Tang does not describe how each of them is disposed over the substrate, and does not describe the feature of the invention that a hole injection/transportation layer is disposed over the anode, and that a light emitting layer is disposed over the hole injection/transportation layer. Further, Tang fails to describe that the formation region of the light emitting layer covers the film formation region of the hole injection/transportation layer. The recited features of a bank having a laminated structure forming at least a step between the layers are not disclosed or suggested by Tang.

Further, Tang fails to teach or suggest that the film formation region of the light emitting layer being greater than the film formation region of the hole injection/transportation layer, as recited in claim 1, and similarly recited in claim 10.

A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP §2131. The Final Office Action fails to satisfy this requirement regarding Applicants’ claims.

Dawson does not compensate for the deficiencies of Tang outlined above for claims 1 and 10. Nor does Dawson teach, disclose or suggest the additional features recited in claims 9 and 11-14. These arguments are further presented in the June 17, 2004 Amendment.

Further, there is no motivation to combine features related to the passivation layer over the electrical addressing element of Tang with spin-on glass of Dawson, nor has the Office Action established sufficient motivation or a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicants’ claimed features.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j). Applicants submit that the Final Office Action fails to satisfy these criteria with Tang and Dawson.

For at least these reasons, Applicants respectfully submit that independent claims 1 and 10 are patentable over the applied reference. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Applicants respectfully request that the rejections under 35 U.S.C. §§102(e) and 103(a) be withdrawn.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 6 and 9-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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